



IPN

Docket No.: OMY-0032
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hisao Kamo

Application No.: 10/696,307

Confirmation No.: 6574

Filed: October 30, 2003

Art Unit: 1752

For: COLOR DEVELOPING SOLUTION OF
SILVER HALIDE COLOR PHOTOGRAPHIC
PHOTOSENSITIVE MATERIAL AND
MANUFACTURING METHOD OF COLOR
DEVELOPING SOLUTION

Examiner: H. V. Le

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed August 12, 2004 (Paper No. 20040811), Applicant hereby provisionally elects without traverse Group I, Claims 1-5, for continued examination. The Applicant further elects for Specie A1 General Formula I with both A₁ and A₂ being hydrogen atoms, and R being C₂H₄. For Specie A2, the Applicant elects the sulfate ion as the Group A compound. Also, if necessary, for Specie A3, the Applicant elects KOH as the neutralizing agent.

The Examiner has also deemed claims 6 and 7 to be improper since they mainly contained method of use embodiments. However, Applicant disagrees with the Examiner in this regard since the limitation of supplying the color developing agent to the silver halide color photographic photosensitive material (or supplying the p-phenylenediamine type color developing

agent to the photosensitive material) at a rate ranging from 0.01 mol/m² to 0.5 mol/m² embodies a property of the first processing solution and not just a use. Applicant respectfully requests the Examiner to reconsider his position and review claims 6 and 7 with such an understanding.

Applicants, of course, also reserve the right to file a divisional application covering the subject matter of the non-elected claims.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. OMY-0032 (80276-0032) from which the undersigned is authorized to draw.

Dated: September 10, 2004

Respectfully submitted,

By _____

Lee Cheng

Registration No.: 40,949
RADER, FISHMAN & GRAUER PLLC
1233 20th Street, N.W.
Suite 501
Washington, DC 20036
(202) 955-3750
Attorney for Applicant